

SUNSHINE REFORM TASK FORCE MEETING MINUTES

**Thursday, October 19, 2006
6:00pm – 8:30pm**

City Hall W-118

Present: Ed Rast, Strong Neighborhoods Initiative PAC; Ken Podgorsek, United Neighborhoods of SCC, Bobbie Fischler, League of Women Voters; Virginia Holtz, Willow Glen Neighborhood Assoc.; Joan Rivas-Cosby (arrived 6:55 p.m.), Five Wounds/Brookwood Terrace Neighborhood Advisory Committee; Margie Matthews (arrived 7:25 p.m.), Former Councilmember; Karl Hoffower (arrived 6:55 p.m.), Citizens Commission on Human Rights; Brenda Otey, At-Large Representative; Dan Pulcrano, Silicon Valley Leadership Group (arrived 6:15 p.m.); Phaedra Ellis-Lamkins, South Bay Labor Council; Susan Goldberg, San Jose Mercury News; Judy Nadler, Markkula Center for Applied Ethics; Dave Zenker, Falls Creek Neighborhood Association.

Absent: David Roberson, Housing Commission; Nanci Williams, San Jose/Silicon Valley Chamber of Commerce; Edward Davis, Orrick Law Firm (Legal Counsel).

Staff: Lee Price, City Clerk; Lisa Herrick, Senior Deputy City Attorney; Sandy Lee, Deputy City Attorney; Dan McFadden, Interim Deputy City Manager; Eva Terrazas, Office of the City Manager/Redevelopment Agency; Sheila Tucker, Office of the City Manager.

I. Approval of 10/5/06 Meeting Minutes

The October 5, 2006 minutes were approved with three abstentions, Task Force members Phaedra Ellis-Lamkins, Susan Goldberg, and Judy Nadler (absent 10/05/06).

II. Comments from Chair

Chair Rast reported on the following:

1. The Chair and Vice Chair should be included in all communication with Ed Davis, Legal Counsel to the Task Force.
2. Task Force members were requested to limit their first round of comments to 1 minute, to be clear, concise, focus on intent, and provide examples if applicable. Votes will be taken on major issues. Other agreements will be reached by consensus.
3. If Task Force members are absent, please review the video and materials so that members are current on the discussions.

III. Review of Meeting Material

Staff provided an overview of the packets and documents distributed for the meeting and/or available on-line or by request.

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IV. Review of “Closed Session” Material Format

Staff reviewed the new format of the closed session material and requested input from the Task Force on its usefulness in facilitating a more intent based discussion. The discussion was deferred to Item VI. Upcoming Agenda and Work Plan.

V. Discussion on *Public Meetings* Category

Task Force discussion continued about the definition of “ancillary bodies”.

Public Comment:

1. *Bob Brownstein provided the following comments:*

- *Mr. Brownstein supported the approach suggested by Task Force Member Phaedra Ellis-Lamkins to include in the definition of an ancillary body any entity that performs a core City service.*
- *The purpose, discussed at the last Task Force meeting, of amending Section A.2 to replace “created” with “established by” was an effort to distinguish formal groups verses informal constituent interactions.*
- *There is a significance difference between “created by” and “created to serve.” Created to serve can be created by anyone. Created by would require an official to establish the body.*

The Task Force recommended the following revisions to the “public meeting” category:

A. Ancillary Body Definition

Upon the motion of Task Force member Ken Podgorsek, seconded by Bobbie Fischler, the Task Force agreed to amend Provision 1.2.020 Ancillary Body as follows:

1. Strike Subsection A.1 “Any formal group that meets regularly and.”
2. Amend Subsection A.2. to read,” Committees or other bodies created by and to serve as an advisor to a member of a policy body, the Mayor, a City Councilmember, the Mayor’s Chief of Staff, the Mayor’s Budget and Policy Director, the City Manager, the City Attorney, the City Clerk, the City Auditor, the Independent Police Auditor, the Executive Director of the San José Redevelopment Agency and Department Heads.
3. Strike Subsection B.
4. Defer Subsection C for further discussion.
5. Recommend Subsection D as written.

VI. Upcoming Agenda and Work Plan

A. The agenda for the next meeting will include:

1. Continuation of the discussion on public meetings.
2. Discussion on the November 30, 2006 Study Session.

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Upon the motion of Task Force member Ken Podgorssek, seconded by Phaedra Ellis-Lamkins, the Task Force agreed to continue to review and discuss content only (and not process); Vice Chair Dan Pulcrano opposed.

VII. Consider Increasing Meeting Frequency, Extending Length of Meetings, or Scheduling Additional Meetings

The Task Force mutually agreed to schedule an all-day meeting on Saturday, November 18, 2006. The meeting will be held at City Hall in W118-W119 from 9:00 to 5:00 p.m. with a break for lunch.

Public Comments: None

The meeting adjourned at 8:38 p.m.